

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAMUEL LOVE,

Plaintiff,

v.

HSC HOLDINGS, LLC, et al.,

Defendants.

Case No. [19-cv-06783-CRB](#)

**ORDER VACATING HEARING AND  
GRANTING MOTION TO DISMISS**

Defendants HSC Holdings, LLC, and Dreyer Wine, LLC, move to dismiss this case pursuant to Federal Rule of Civil Procedure 12(b)(1). See Mot. (dkt. 15). The Court finds this matter suitable for resolution without oral argument and vacates the hearing currently set for March 27, 2020. Defendants argue that the case is moot because the business that Plaintiff allegedly visited has ceased operations. Id. at 1. Plaintiff Samuel Love agrees that the ADA claim is moot, but argues that the Court can choose to exercise supplemental jurisdiction over the state claim. See Opp'n (dkt. 16). The Court disagrees. See Kohler v. Southland Foods, Inc., 459 Fed. Appx. 617, 618–19 (9th Cir. 2011). Moreover, even if the Court had the discretion to retain the state law claim, it would not do so, as there is no judicial economy to be served by keeping this case in federal court.

**IT IS SO ORDERED.**

Dated: March 11, 2020



CHARLES R. BREYER  
United States District Judge